GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2599
ANSWERED ON:01.08.2017
Criminals lodged in Jails
Kothapalli Smt. Geetha

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether various States have requested the Union Government to release convicts involved in atrocity/assassination/murder cases and lodged in various jails in the country;

(b) if so, the details of the requests received from the States and the action taken by the Union Government on each proposal; and

(c) the details of the rejected cases of the States and the basis adopted therefor?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)

(a) to (c): The State Governments have the power to suspend, remit and commute the sentence of convicts under the relevant provisions of the Code of Criminal Procedure 1973 (Cr PC). However, in certain cases where the sentence is for an offence which was investigated by the Delhi Special Police Establishment constituted under the Delhi Special Police Establishment Act 1946 or by any other agency empowered to make investigation into an offence under any Central Act other than Cr PC Code or which involved the misappropriation or destruction of, or damage to, any property belonging to the Central Government, the State Governments are required to consult the Central Government to exercise this power. The State Governments consult the Central Government in appropriate cases.

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